UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2002/NGO/109
6 February 2002

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 7 of the provisional agenda

THE RIGHT TO DEVELOPMENT

Written statement* submitted by the International League for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 January 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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ENG

1. The right to development belongs fundamentally to peoples and originates in their paramount right to self-determination. Articles 1 and 2 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) emphasize that it is "by virtue of" the right to self-determination that peoples enjoy the right to "freely pursue their economic, social and cultural development" and to "freely dispose of their natural wealth and resources." Article 1(2) of the General Assembly's 1986 Declaration on the Right to Development establishes that development "implies the full realization of the right of peoples to self-determination." Self-determination means, at a minimum, that peoples must enjoy the right to participate in the design and implementation of a genuine sustainable development policy. Any state "development" policy that proceeds without participation by the peoples it affects—without, that is, respect for their right to self-determination—is not development; it is exploitation. In one notable example, the Chinese government has adopted policies openly acknowledging its intent to use massive economic development in Tibet in part to eliminate a separate Tibetan culture—a purpose diametrically at odds with the Tibetan people's right of self-determination.

2. For this reason, we wish to call the Commission's attention to the ongoing exploitation of the Tibetan people's land and resources by China. China repeatedly states that it considers the right to development paramount. However, "development" in Tibet proceeds according to policies formulated by Beijing without any meaningful participation by Tibetans. Moreover, the projects that China pursues in Tibet do not benefit the Tibetan people.

3. Recent development policies articulated at Beijing's Fourth Tibet Work Forum in June 2001 and the Tibet Autonomous Region (TAR) Tenth Fifth Year Plan (2001-2005) reaffirm the government's top-down approach to development in Tibet. These central policy mandates oppose "cultural separatism" and seek to pursue "greater assimilation of Tibet into a 'unified' Chinese state" through planned economic development and "increased migration of the importation of people, ideals and models from China." Such policies are inconsistent with the Tibetan people's right to participate in formulating a sustainable and environmentally sound development policy crucial to alleviating the devastating poverty in Tibet.

4. Virtually all of the natural resources and material wealth extracted from Tibet are channeled back to enrich China's eastern regions. While Beijing asserts in its November 2001 White Paper that western development is improving Tibetans' quality of life and incorporating Tibetans into the "big family of China," the few resources redirected back into Tibet primarily benefit urban Chinese settlers who have been encouraged by China's population transfer program to resettle in Tibet. Chinese businessmen, investors and government officials enjoy most of the wealth derived from the exploitation of Tibet's resources. In 1997, for example, the International Commission of Jurists (ICJ) noted that "profitable returns to the state are generated by high profit levels of monopoly state enterprises reliant on *Tibetan* raw materials as their primary inputs, obtained at prices below market rates . . . . Transfer pricing is a systematic feature of the extraction of Tibet's resources for Chinese use."

5. In June 1999, President Jiang Zemin officially proclaimed the so-called "Western Development" campaign. In theory, this refers to a systematic policy of developing western China by improving its economic infrastructure and providing more funds for education, the environment and the development of technology. In practice, it represents an escalation of the long-standing Chinese policy of extracting the wealth of natural and mineral resources that exist in Tibet and Xinjiang for the benefit of the Chinese people.

6. A key element of the Western Development campaign is China's population transfer program, which provides economic incentives to Chinese who relocate to Tibet. The influx of 7.5 million Chinese settlers has already had a dramatic economic and cultural impact on Tibet, transforming the estimated 6 million Tibetans living there into a minority population. Limited educational opportunities for Tibetans have resulted in a sixty percent illiteracy rate among Tibetan adults, compared to a 9 percent rate for Chinese adults. Moreover, Tibetans face employment discrimination in the Chinese dominated business community. Population transfer has also led to the systematic suppression of Tibetan religion and culture, such as schools forbidding Tibetan children from learning their native language or history. The effect of this policy is to control Tibet's land and its people politically, economically and culturally—not to bring what Tibet desperately needs: better healthcare, education and employment opportunities. Thus, it is clear that the motive behind "Western Development," as Chinese economist Hu Angang candidly acknowledged, is to preserve the Communist Party's political control in Tibet: "The worst case scenario – and what we're trying to avoid – is China fragmenting like Yugoslavia. Already, regional [economic] disparity is equal to – or worse than – what we saw in Yugoslavia before it split."

7. While China claims to prioritize economic rights for its entire people, its development policies have failed to reduce the disproportionate level of poverty in western China. Unemployment among the Tibetan populations is high—over 40 percent in some areas—and the Tibet Information Network's (TIN) research indicates that eastern Chinese farmers make more than three times the income Tibetan farmers earn. The evidence further suggests that the urban Chinese settlers will primarily benefit from the new large-scale development and mineral exploitation projects, while the poor farmers and nomads, who make up 80 percent of Tibet's population, stand little to gain. According to ICJ, per capita spending on healthcare, education and subsistence is also lower in the TAR than anywhere else in China. This means that Tibetans have neither the economic resources nor the education to compete for the new jobs and positions that the "Western Development" policies establish in their lands.

8. Not one of the ten large-scale "Western Development" projects that China launched in 2000 is located in the TAR or other rural Tibetan regions. Instead, Beijing has determined they should be constructed in the wealthier western regions that are primarily dominated by Chinese settlers and currently have better infrastructure. The Chinese State Council's approval of the Qinghai-Tibet railway in February 2001 represents Beijing's most recent effort to accelerate the "assimilation of Tibet into 'the motherland,'" to increase the extraction of minerals and other natural resources, and to promote Chinese migration. The purpose of such large-scale infrastructure projects, according to TIN, is to facilitate the extraction of raw materials and goods *out of* Tibet and into the wealthier, more industrialized eastern Chinese regions. The People's Daily acknowledged that this project will bring an "unprecedented mammoth transfer of resources."

9. A significant amount of China's energy resources, including oil, gas and hydropower, are located in Xinjiang and in the Tibetan regions of Qinghai. Yet TIN reports that "[e]nergy resources, including hydropower and gas, are being exploited primarily for use in eastern China, rather than to assist industrialisation in the west." Not only do Tibetans enjoy none of the benefits of their land's energy resources, evidence indicates that these projects are pursued in an environmentally destructive manner, polluting Tibet's lands, forests and water sources. Current energy projects are being developed without consulting Tibetans—the people who will be most affected by them—and without any assessment of their potentially drastic environmental impact.

10. The current plan to construct an oil pipeline between Chad and Cameroon similarly exploits the people's resources without their participation or benefit. The World Bank, which has approved $193 million in loans to assist Chad, Cameroon and a consortium of oil companies to develop the oil reserves, believes this project will help alleviate the poverty of Chad's seven million people, generating an estimated $2 billion in revenues over the next 25 years. But here again, (i) the oil pipeline's ostensible beneficiaries, Chad's people, have not been consulted and have not enjoyed democratic participation in decision-making; (ii) Chad's government, which will collect and control the oil revenues, has an atrocious human rights record; and (iii) the potential for leakage from the pipeline threatens adjacent vital water systems. Without the participation of Chad's people, this kind of "development" may result in exploitation.

11. Mr. Chairman, the right to development, properly understood, consists in a "rights-based approach based on empowerment and participation [of the beneficiaries] in the decision-making and execution." E/CN.4/2000/WG.18/CRP.1, para. 64. China's exploitation of Tibet's natural and mineral resources, which proceeds without Tibetan participation and economic benefit, is inconsistent with respect for the human right to development. Only when Tibet's people enjoy genuine self-determination, which includes the right to freely determine the disposition of their natural and mineral resources within a framework of environmental conservation and international cooperation, can they truly enjoy the right to development. We therefore urge the Commission to adopt a resolution calling on the Chinese government to end human rights abuses in Tibet, including the denial of the Tibetan people's right to self-determination and development.